

Health Professions Act

Speech and Hearing Health Professionals Regulation

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Definitions

1 In this regulation:

“**Act**” means the *Health Professions Act*;

“**audiologist**” means a registrant who is authorized under the bylaws to practise audiology;

“**audiology**” means the health profession in which a person provides or performs, for the purposes of promoting and maintaining communicative, auditory and vestibular health, the services of assessment, treatment, rehabilitation and prevention of

(a) auditory and related communication disorders and conditions, and

(b) peripheral and central auditory system dysfunction and related peripheral and central vestibular system dysfunction;

“**cerumen**” means the wax-like substance that occurs naturally as a secretion of sebaceous and ceruminous glands in the cartilaginous portion of the ear canal;

“**cerumen management**” means services related to the removal of cerumen for the purpose of audiological procedures that require a clear external ear canal to satisfactorily complete the procedure;

“**dispense**” means to select, prepare, alter, sell or offer to sell;

“**fit**” means to adapt or verify, using sound field testing, real ear measurements or other methods;

“**hearing instrument**” means

(a) an appliance, or

(b) a device,

designed or offered for a hearing condition, including any ear molds, boots or other acoustic couplers and any parts or accessories for the appliance or device

intended to affect the sound pressure level at the eardrum, and excluding direct audio input accessories, batteries and any accessories that are attachable to the appliance or device by the wearer and not intended to affect the sound pressure level at the eardrum;

“hearing instrument dispensing” means the health profession in which a person provides or performs the services of

- (a) assessment of hearing using an audiometer, or other methods, to identify hearing loss, and
- (b) recommending, selecting, preparing, altering, adapting, verifying, selling and offering to sell hearing instruments;

“hearing instrument practitioner” means a registrant who is authorized under the bylaws to practise hearing instrument dispensing;

“prescribe” means to issue an authorization to dispense, for use by a named individual;

“sell” means to enter into a transfer of title, conditional sale contract, lease, hire purchase or any other contract where a person disposes of, and any other person acquires, a hearing instrument, excluding a wholesale transaction;

“speech-language pathologist” means a registrant who is authorized under the bylaws to practice speech-language pathology;

“speech-language pathology” means the health profession in which a person provides or performs, for the purposes of promoting and maintaining communicative health, the services of assessment, treatment, rehabilitation and prevention of

- (a) speech, language and related communication disorders and conditions, and
- (b) vocal tract dysfunction, including related feeding and swallowing disorders;

“wearable hearing instrument” means a hearing instrument wearable on the head or body.

Designation

- 2 Audiology, hearing instrument dispensing and speech-language pathology are designated for the purposes of the Act.

College name

- 3 The college established for audiology, hearing instrument dispensing and speech-language pathology is named the College of Speech and Hearing Health Professionals of British Columbia.

Reserved titles

- 4 (1) No person other than an audiologist may use the title “audiologist”.
- (2) No person other than a hearing instrument practitioner may use the title “hearing instrument practitioner”.
- (3) No person other than a speech-language pathologist may use the title “speech-language pathologist” or “speech therapist”.

Scope of practice

- 5 (1) An audiologist may practice audiology.

- (2) A hearing instrument practitioner may practice hearing instrument dispensing.
- (3) A speech-language pathologist may practice speech-language pathology.

Limits or conditions on services

- 6 (1) It is a limit or condition on the provision or performance of a service by a registrant that the registrant must provide or perform the service in accordance with
 - (a) all standards, limits and conditions for the practice of the profession in relation to that service, and
 - (b) all standards of professional ethics for registrants, including standards for the avoidance of conflicts of interest,established by the board of the college.
- (2) An audiologist or a hearing instrument practitioner may only provide or perform cerumen management that includes the performance of an exempted activity set out in Column 2 of the table in section 9 (1) or (2), opposite the reference to section 2 (g) (i) or (h) (i) of the Reserved Actions Regulation, if the audiologist or hearing instrument practitioner has successfully completed a certification program established, required or approved by or under the bylaws to ensure audiologists and hearing instrument practitioners are qualified and competent to provide or perform cerumen management and the exempted activity.
- (3) An audiologist may only provide or perform assessment of vestibular system dysfunction that includes the performance of the exempted activity set out in Item 4 of Column 2 of the table in section 9 (1), opposite the reference to section 2 (h) (i) of the Reserved Actions Regulation, if the audiologist has successfully completed a certification program established, required or approved by or under the bylaws to ensure registrants are qualified and competent to provide or perform assessment of vestibular system dysfunction and the exempted activity.
- (4) A hearing instrument practitioner may only dispense or fit a hearing instrument for use by an individual who is under the age of 16 years if
 - (a) that individual has been examined within the previous 6 months by an otolaryngologist and an audiologist, and
 - (b) the hearing instrument practitioner has a copy of each diagnosis which recommends the use of a hearing instrument by that individual.
- (5) A speech-language pathologist may only provide or perform a service that includes the performance of an exempted activity set out in Column 2 of the table in section 9 (3), opposite the reference to section 2 (g) (ii), (iii) or (vii) of the Reserved Actions Regulation, if the speech-language pathologist has successfully completed a certification program established, required or approved by or under the bylaws to ensure speech-language pathologists are qualified and competent to provide or perform the service and the exempted activity.

Services that may be performed only by hearing instrument practitioners

- 7 If, on the day before the date this section comes into force, the provision or performance of a hearing instrument dispensing service as set out in this regulation was prohibited by anyone other than a person authorized under, or exempted from the application of, the *Hearing Aid Act*, only a hearing instrument practitioner or a person

formerly exempted from the application of that Act may provide or perform the same service.

Patient relations program

8 The college is designated for the purposes of section 16 (2) (f) of the Act.

Reserved actions

9 (1) An audiologist practising audiology is exempted from the prohibition against performing the reserved action in the section of the Reserved Actions Regulation listed in Column 1 if performing the exempted activity shown opposite in Column 2 but only to the extent set out in Column 2:

Item	Column 1 Reserved action (sections refer to the Reserved Actions Regulation)	Column 2 Exempted activity
1	section 2 (a) (i)	To make a diagnosis identifying, as the anatomical cause of behavioural, psychological or language-related signs or symptoms of an individual, an auditory or related communication disorder.
2	section 2 (g) (i)	To put an instrument or a device or finger into the external ear canal, up to the eardrum.
3	section 2 (h) (i)	To put into the external ear canal, up to the eardrum and for the purposes of cerumen management or tympanometry, air that is under pressure.
4	section 2 (h) (i)	To put into the external air canal, up to the eardrum and for the purposes of cerumen management or assessment of vestibular system dysfunction, water that is under pressure.
5	section 2 (h) (ii)	To put into the external ear canal, up to the eardrum, a substance that subsequently solidifies.
6	section 2 (q)	To prescribe a wearable hearing instrument.
7	section 2 (r)	To fit a wearable hearing instrument.

- (2) A hearing instrument practitioner practising hearing instrument dispensing is exempted from the prohibition against performing the reserved action in the section of the Reserved Actions Regulation listed in Column 1 if performing the exempted activity shown opposite in Column 2 but only to the extent set out in Column 2:

Item	Column 1 Reserved action (sections refer to the Reserved Actions Regulation)	Column 2 Exempted activity
1	section 2 (g) (i)	To put an instrument or a device or finger into the external ear canal, up to the eardrum.
2	section 2 (h) (i)	To put into the external ear canal, up to the eardrum and for the purposes of cerumen management or tympanometry, air that is under pressure.
3	section 2 (h) (i)	To put into the external ear canal, up to the eardrum and for the purpose of cerumen management, water that is under pressure.
4	section 2 (h) (ii)	To put into the external ear canal, up to the eardrum, a substance that subsequently solidifies.
5	section 2 (q)	To prescribe a wearable hearing instrument.
6	section 2 (r)	To dispense or fit a wearable hearing instrument.

- (3) A speech-language pathologist practising speech-language pathology is exempted from the prohibition against performing the reserved action in the section of the Reserved Actions Regulation listed in Column 1 if performing the exempted activity shown opposite in Column 2 but only to the extent set out in Column 2:

Item	Column 1 Reserved action (sections refer to the Reserved Actions Regulation)	Column 2 Exempted activity
1	section 2 (a) (i)	To make a diagnosis identifying, as the anatomical cause of

		behavioural, psychological or language-related signs or symptoms of an individual, a speech, language or related communication disorder.
2	section 2 (g) (i)	To put an instrument or a device or finger into the external ear canal, up to the eardrum and for the purpose of tympanometry.
3	section 2 (g) (ii)	To put an instrument or a device beyond the point in the nasal passages where they normally narrow, for the purposes of assessing and managing communication and swallowing disorders.
4	section 2 (g) (iii)	To put an instrument or a device or finger beyond the pharynx, for the purposes of assessing and managing voice disorders and voice restoration.
5	section 2 (g) (vii)	To put an instrument or a device into an artificial opening in the body, for the purposes of assessing and managing voice disorders and voice restoration.
6	section 2 (h) (i)	To put into the external ear canal, up to the eardrum and for the purpose of tympanometry, air that is under pressure.

Explanatory Notes:

1. *This proposed Regulation appears in its anticipated 'final form' assuming that the new College is fully operational and the proposed Reserved Actions Regulation has been enacted and is in force. However, there are transitional issues that will likely result in certain provisions of this Regulation being phased in or enacted temporarily.*
2. *Because the new College will require lead time to become fully operational, it is anticipated this Regulation will be enacted before the repeal of the Hearing Aid Act takes effect. Under current planning, that repeal would take effect on April 1, 2009.*
3. *The effective dates of sections 4 and 6 of this Regulation would be deferred until the College is fully operational and the repeal of the Hearing Aid Act takes effect, (i.e., April 1, 2009).*
4. *Section 7 of this Regulation is intended as a transitional provision which it may or may not be necessary to enact. Section 7 would not be needed before the repeal of the*

Hearing Aid Act takes effect, and then only if the Reserved Actions Regulation is not yet in force at that time. If section 7 was enacted, it would then be repealed when the Reserved Actions Regulation did come into force.

5. *It is anticipated that this Regulation will be enacted before the Reserved Actions Regulation comes into force. In that case, enactment of section 9 of this Regulation may be deferred, or it may be enacted in a modified format similar to sections 8 to 10 of the Nurses (Registered) and Nurse Practitioners Regulation. (If the Reserved Actions Regulation is not in force on April 1, 2009, a similar modification to section 6 of this Regulation would be necessary.)*